

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

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## Applicant Must Provide:

- ☒ An **initial** or substitute **computer readable form (CRF) copy** of the "Sequence Listing".
- ☒ An **initial** or substitute **paper copy** of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A **statement** that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 2019659-0139

In re patent application of

FUNANAGE, VICKY L. et al.

Serial No. 09/711,295

Filed: November 14, 2000

For: METHOD FOR TREATING RESPIRATORY DISTRESS SYNDROME



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STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

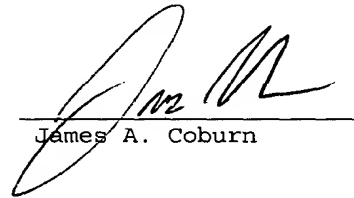
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 09/711,295

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

March 20, 2002  
Date

  
James A. Coburn

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1500A Lafayette Road  
Suite 262  
Portsmouth, N.H.  
800-318-3021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vicky L. FUNANAGE et el.

Application No.: 09/711,295

Filed: November 14, 2000

Title: **METHOD FOR TREATING  
RESPIRATORY DISTRESS  
SYNDROME**

Group Art Unit: 1647

Examiner: SAOUD, C.

Att'y Dkt. No.: 2019659-0139

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Box SEQUENCE**

Sir:

In response to the Communication mailed **February 28, 2002**, which included a  
NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES (the "Notice"), Applicants submit the following:

1. A computer readable form (CRF) copy of the "Sequence Listing";
2. A paper copy of the "Sequence Listing";
3. An Amendment directing entry of the "Sequence Listing" in the  
specification;
4. A statement that the content of the paper and computer readable copies are  
the same and include no new matter; and
5. A copy of the Notice.



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